

A subcommittee of the Rhode Island Fire Safety Code Board of Appeal & Review met on Block Island at Town Hall on Wednesday, October 15, 2008 at 10:00 A.M. Present were Acting Chairman Newbrook and Commissioners Dias, Blackburn and Walker. Commissioner Filippi was present but recused herself from voting on all cases. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #050536, 060787: Mr. Ulric Cyr, for the properties located at 32 Dodge Street, Block Island. DSFM David Cionfolo appeared for the State Fire Marshal's office. The Applicant failed to appear, but the facilities were represented by the property manager, William Lambert, who testified that the facilities were vacant. Commissioner Blackburn made a motion, seconded by Commissioner Walker, that all deficiencies should be corrected prior to re-occupancy. The motion was unanimous.

APPEAL #060813: Mr. and Mrs. John Leone, for the property located at 356 High Street, Block Island. DSFM Christine Kent appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the following relief, based on the Applicant's testimony that a sprinkler system will be installed in this facility. A variance is granted in item #4 of the October 3, 2008 inspection report. A variance is granted in item #5 based on structural hardship. A variance is granted for item #6 on the basis of structural hardship and in light of the fact that sprinklers

will be installed. A variance is granted in item #7 based on structural hardship. A variance is granted in item #8 in light of the fact that sprinklers will be installed. The Applicant is granted a time variance until May 1, 2009 to install the sprinkler system and make any other corrections at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070273: Town Manager Nancy O. Dodge, for the property located at 10 Beach Avenue, Block Island. DSFM James Moore appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioners Walker and Blackburn, to grant the Applicant a time variance until May 1, 2009 in which to make the necessary corrections. The motion was unanimous.

APPEAL #070282: Island Marine Corp., for the property located at 218 Ocean Road, Block Island. DSFM David Cionfola appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until May 1, 2009 in which to make the necessary corrections to this facility, including but not limited to, modifying the cited windows on the second floor, correcting the exit from the second floor and installing spring loaded hinges on the sleeping room doors, with all work to be done at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070283: Mr. Stephen Papa, for the property located at 225

Weldon's Way, Block Island. DSFM Arthur DaCosta appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant the Applicant a variance, based on structural hardship, for the dimensions of the kitchen exit door. The Applicant is granted a time variance until May 1, 2009 in which to correct item #6 of the October 6, 2008 inspection report. The motion was unanimous.

APPEAL #070287: Mr. Steven Filippi, for the property located at 42 Water Street, Block Island. DSFM David Cionfolo appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Dias, to grant the Applicant relief from the provisions of section 13.8.10.5.2 for the height of the pull station and a time variance until May 1, 2009 in which to correct items 5 and 11 of the October 7, 2008 inspection report. The motion was unanimous.

APPEAL #070286: Mr. Christopher Sereno, for the property located on Water Street, Block Island. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until May 1, 2009 to treat or remove the cited paneling. The motion was unanimous.

APPEAL #070415: Mr. Christopher Sereno, for the property located on Water Street, Block Island. DSFM Cynthia Dehler appeared for the

State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Walker, to grant the Applicant's requested variances, on the basis of structural hardship and the fact that this facility maintains a partial sprinkler system. The motion was unanimous.

APPEAL #070392: Maclac Enterprises, for the property located at 224 Water Street, Block Island. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. In the matter of the second means of egress from the third floor, Commissioner Dias made a motion, seconded by Commissioner Blackburn, to reinstate the original variance approved by the Board in a previous decision. The motion was unanimous.

APPEAL #070393: Maclac Enterprises, for the property located at 242 Ocean Avenue, Block Island. DSFM Dennis McGarty appeared for the State Fire Marshal's office and testified that all deficiencies have been corrected and the facility is compliant.

APPEAL #070373: Mr. Donald Coxe, for the property located at 232 Water Street, Block Island. DSFM David Cionfalo appeared for the State Fire Marshal's office. The Applicant failed to appear. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until May 1, 2009 to correct all outstanding deficiencies. The motion was unanimous.

APPEAL #070389, 070465: Mr. Steven Draper, for the property located on Spring Street, Block Island. DSFM David Cionfolo appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioners Blackburn and Dias, to grant the Applicant a variance based on structural hardship for the headroom clearance down the basement stairs. The Applicant is granted a time variance until May 1, 2009 in which to correct deficiencies 12 and 13, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070463: Mr. Steven Draper, for the property located at 1 Spring Street, Block Island. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant a variance on item #19 and to grant the Applicant a time variance until May 1, 2009 in which to correct any outstanding deficiencies. The motion was unanimous.

APPEAL #070466: Mr. Steven Draper for the property located at 1 Spring Street, Block Island. DSFM David Cionfolo appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until May 1, 2009 in which to install a compliant fire alarm system. The motion was unanimous.

APPEAL #070467: Mr. Steven Draper, for the property located on

Jobs Hill, Block Island. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance until May 1, 2009 in which to install a compliant fire alarm system. The motion was unanimous.

APPEAL #070480, 080150: Mr. Clif Payne and Ms. Carole Payne, for the property located on Ocean Avenue, Block Island. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the Applicants a time variance until May 1, 2009 in which correct any outstanding deficiencies. The motion was unanimous.

APPEAL #070309: Ms. Deborah Howarth, for the property located at 212 Water Street, Block Island. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Dias, to grant the following relief. The Applicant is granted a variance from the provisions of section 13.8.10.5.2 in order to allow the manual fire alarm boxes located on the third floor to remain at 5'2" in height. The Applicant is granted a variance, based on structural hardship, for the measurement of the cited treads and risers, for the headroom of 79" in the dish room and for the height of the manual pull station in the bar area. The Applicant is granted a time variance until May 1, 2009 in which to correct the outstanding deficiencies at the direction and to the satisfaction of the State Fire Marshal's office. The motion was

unanimous.

APPEAL #070333: Mr. Bradford Marthens, for the property located at 1788 High Street, Block Island. DSFM James Moore appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Walker, to grant the Applicant a variance, based on structural hardship, for the dimensional criteria for existing stairs, and a time variance until May 1, 2009 in which to correct all other outstanding deficiencies. The motion was unanimous.

APPEAL #070335: Ms. Caroline Todd, for the property located at 233 Dodge Street, Block Island. DSFM Arthur DaCosta appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Walker, to grant the Applicant a variance to allow the Applicant to maintain the cited door frame, and a time variance until May 1, 2009 in which to make all necessary corrections. The motion was unanimous.

APPEAL #070265: Mr. James Ernst, for the property located at 227 Water Street, Block Island. DSFM David Cionfalo appeared for the State Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance until May 1, 2009 to bring the facility into compliance, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070005: Mr. John Kempf, for the property located at 474 Old Town Road, Block island. DSFM James Moore appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the Applicant a variance for items 10 and 12, and a time variance until May 1, 2009 to correct any outstanding deficiencies, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL 070005Z: Mr. John Kempf, for the property located at 474 Old Town Road, Block Island. DSFM James Moore appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by commissioner Walker, to grant the Applicant a variance, based on structural hardship, for items 3 and 4 and a time variance until May 1, 2009 to correct any outstanding deficiencies, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #060840, 060897: Mr. Stanley Nyzio, for the properties located at 54 Dodge Street and 62 Dodge Street, Block Island. DSFM McGarty and DaCosta appeared for the State Fire Marshal's office. This property will be heard in Cranston on December 2, 2008.

APPEAL #070367, 070368, 070369, 070370: Mr. Frank DiBiase, for the properties located at 51 Spring Street, Block Island. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner

Blackburn made a motion, seconded by Commissioner Walker, to grant the following relief. A variance is granted to allow the cited doors in the Victoria Parlor room to be maintained without panic hardware provided the doors remain hooked open when occupied. A variance is granted to allow the cited pull stations to remain at their current location. A variance is granted to allow the cited open stairway and fire escapes, pursuant to the Applicant's agreement to install sprinklers. A variance is granted, based on structural hardship, to allow a single exit from the upstairs apartment in the cook's quarters building. A variance is granted, based on structural hardship, to allow the Applicant to maintain the current height of the cited stair risers. Any other deficiencies that remain will be corrected at the direction and to the satisfaction of the State Fire Marshal's office. The above relief is granted based on the Applicant's testimony that sprinklers will be installed in these buildings within five (5) years, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070412: Mr. Herman Hassinger, for the property located at 231 Water Street, Block Island. DSFM James Moore appeared for the State Fire Marshal's office. This property will be heard in Cranston on December 2, 2008.

**Respectfully submitted,
Carol Marsella**

Deputy Director